

REMARKS

This responds to the Office Action dated on February 10, 2006. No claims are amended, cancelled, or added. As a result, claims 1-18 remain pending in this patent application. Applicant gratefully acknowledges the removal of the previous rejections, leaving only the below rejection under 35 U.S.C. § 112 to be addressed.

§112 Rejection of the Claims

Claims 1-18 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness.

The Office Action states:

The limitation of “from a Class 2, partial body harness to a Class 3,” as set forth in claims 1, 5, 13, and 16, is a vague and indefinite claim limitation, and thus does not lend itself to a clear understanding of the boundaries of the claimed invention.”

(Office Action at 2.) However, Applicant respectfully submits that one of ordinary skill in the art would recognize the meaning of such terms because such terms are actually expressly defined in a well-established standard by the National Fire Protection Association, that is, NFPA 1983: Standard on Fire Service Life Safety Rope and System Components, 2001 Edition, which states:

4.3 Life Safety Harness System Component.

4.3.1 Life safety harness shall be designed and designated in accordance with one of the following classes.

4.3.1.1 Harness that fastens around waist and around thighs or under buttocks and designed to be used for emergency escape with a design load of 1.33 k/N (300lbf) shall be designated as Class I life safety harness.

4.3.1.2 Harness that fastens around waist and around thighs, or under buttocks, and over shoulders, and designed for rescue with a design load of 2.67 k/N (600 lbf) shall be designated as Class II life safety harness.

4.3.1.3 Harness that fastens around waist, around thighs, or under buttocks, and over shoulders, and designed for rescue with a design load of 2.67 k/N (600 lbf) shall be designated as Class III life safety harness. Class III life safety harness shall be permitted to consist of one or more parts.

(NFPA 1983-14, 2001 ed.). A copy of the applicable portion of this standard is enclosed with the present response, for the Examiner’s convenience. In view of this objective evidence, Applicant respectfully submits that one of ordinary skill in the art would recognize the definite meaning of the terms “Class 2” and “Class 3” as used in the present claims. Therefore,

Applicant respectfully requests reconsideration and withdrawal of the rejection. However, if the Examiner should disagree, Applicant respectfully requests a telephonic interview between the Examiner and Applicant's counsel, Suneel Arora, at the number given below, since Applicant is confident that agreement to the Examiner's satisfaction can be reached on this issue.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6951 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

HOWELL GAGE RICHARDSON

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6951

Date March 30, 2006

By Suneel Arora
Suneel Arora
Reg. No. 42,267

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 30 day of March, 2006.

JACLYN SKIBA

Name

Signature

